

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-FIFTH GENERAL ASSEMBLY

264TH LEGISLATIVE DAY

PERFUNCTORY SESSION

MONDAY, MAY 12, 2008

4:16 O'CLOCK P.M.

**HOUSE OF REPRESENTATIVES
Daily Journal Index
264th Legislative Day**

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The House of Representatives met in Perfunctory Session pursuant to adjournment.

LETTER OF TRANSMITTAL

May 12, 2008

Mark Mahoney
Chief Clerk of the House
Springfield, IL 62706

Dear Clerk Mahoney:

Pursuant to House Rules 9(a), by this letter I am establishing that the House of Representatives will be in **Perfunctory Session** on Monday, **May 12, 2008**.

If you have questions, please contact my Chief of Staff, Tim Mapes, at 782-6360.

With kindest personal regards, I remain.

Sincerely yours,
s/Michael J. Madigan
Speaker of the House

May 9, 2008

Mark Mahoney
Chief Clerk of the House
402 State House
Springfield, IL 62706

Dear Clerk Mahoney:

Please be advised that I am extending the Third Reading/Final Action Deadline for House Bills and Committee Deadline for Senate Bills to May 23, 2008:

House Bills: 228, 311, 392, 475, 684, 731, 750, 796, 838, 1144, 1171, 1304, 1305, 1479, 1518, 1612, 1826, 1831, 1867, 2074, 2088, 2094, 2104, 2142, 2167, 2170, 2211, 2277, 2286, 2308, 2310, 2332, 2361, 2405, 2426, 2437, 2438, 2467, 2496, 2518, 2673, 2692, 2748, 2860, 2861, 2916, 2957, 2971, 3139, 3177, 3203, 3262, 3387, 3424, 3642, 4128, 4145, 4164, 4198, 4249, 4305, 4310, 4320, 4326, 4334, 4342, 4354, 4357, 4375, 4380, 4383, 4385, 4393, 4394, 4403, 4416, 4425, 4437, 4441, 4442, 4465, 4469, 4489, 4507, 4513, 4543, 4550, 4577, 4582, 4585, 4612, 4616, 4620, 4623, 4625, 4627, 4629, 4634, 4635, 4644, 4647, 4649, 4651, 4665, 4673, 4678, 4681, 4698, 4699, 4713, 4716, 4728, 4738, 4742, 4743, 4746, 4747, 4755, 4758, 4762, 4768, 4769, 4777, 4778, 4790, 4791, 4803, 4824, 4837, 4841, 4845, 4854, 4861, 4863, 4868, 4874, 4875, 4888, 4903, 4913, 4927, 4930, 4940, 4941, 4964, 4988, 4999, 5011, 5019, 5032, 5037, 5061, 5064, 5067, 5070, 5071, 5073, 5092, 5111, 5124, 5125, 5126, 5128, 5135, 5152, 5156, 5157, 5158, 5170, 5186, 5187, 5189, 5197, 5213, 5224, 5225, 5227, 5229, 5239, 5257, 5282, 5286, 5310, 5314, 5319, 5331, 5338, 5356, 5369, 5370, 5373, 5378, 5467, 5469, 5489, 5492, 5496, 5497, 5501, 5506, 5513, 5516, 5519, 5525, 5574, 5576, 5578, 5584, 5592, 5597, 5613, 5621, 5657, 5664, 5668, 5669, 5672, 5690, 5692, 5728, 5730, 5731, 5739, 5750, 5752, 5755, 5756, 5765, 5771, 5784, 5788, 5789, 5801, 5845, 5849, 5901, 5912, 5914, 5946, 5960, 5969, 5970, 5980 and 6316.

Senate Bills: 202, 1879, 1881, 1887, 1923, 1929, 1933, 1965, 1975, 1990, 2012, 2014, 2015, 2021, 2031, 2042, 2044, 2047, 2049, 2052, 2079, 2083, 2091, 2102, 2110, 2111, 2118, 2128, 2135, 2142, 2148, 2159,

2161, 2162, 2170, 2188, 2198, 2199, 2210, 2216, 2227, 2232, 2240, 2252, 2254, 2256, 2275, 2282, 2285, 2287, 2290, 2294, 2295, 2297, 2298, 2301, 2302, 2313, 2321, 2322, 2348, 2349, 2354, 2355, 2365, 2366, 2380, 2382, 2387, 2391, 2394, 2396, 2401, 2403, 2404, 2415, 2422, 2426, 2428, 2431, 2434, 2435, 2461, 2472, 2473, 2474, 2476, 2486, 2488, 2492, 2494, 2500, 2501, 2505, 2506, 2509, 2512, 2514, 2520, 2526, 2536, 2538, 2546, 2552, 2562, 2566, 2581, 2594, 2595, 2596, 2632, 2639, 2640, 2643, 2656, 2657, 2674, 2677, 2678, 2679, 2690, 2696, 2713, 2718, 2721, 2722, 2734, 2747, 2749, 2754, 2755, 2785, 2820, 2824, 2827, 2845, 2851, 2854, 2855, 2857, 2858, 2872, 2873, 2875, 2877, 2879, 2882, 2887, 2906 and 2907.

If you have questions, please call my Chief of Staff, Tim Mapes, at 782-6360.

With kindest personal regards, I remain.

Sincerely yours,
s/Michael J. Madigan
Speaker of the House

REPORT FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on May 12, 2008, reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the Floor Amendment be reported "recommends be adopted":

Amendment No. 4 to HOUSE BILL 2747.

Amendment No. 1 to HOUSE BILL 4385.

Amendment No. 4 to HOUSE BILL 4913.

Amendment No. 7 to HOUSE BILL 4988.

Amendment No. 2 to HOUSE BILL 5849.

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Consumer Protection: HOUSE AMENDMENT No. 2 to HOUSE BILL 5789.

Elections & Campaign Reform: HOUSE AMENDMENT No. 3 to HOUSE BILL 4403.

Electric Utility Oversight: HOUSE AMENDMENT No. 3 to HOUSE BILL 5576.

Elementary & Secondary Education: SENATE BILLS 2487, 2682 and 2864.

Environment & Energy: HOUSE AMENDMENT No. 2 to HOUSE BILL 2074.

Housing and Urban Development: HOUSE AMENDMENT No. 3 to HOUSE BILL 5788.

Judiciary I - Civil Law: SENATE BILLS 2023, 2080, 2828 and HOUSE AMENDMENT No. 3 to HOUSE BILL 5126.

Judiciary II - Criminal Law: SENATE BILLS 2053 and 2340.

Local Government: SENATE BILL 2353.

Registration and Regulation: HOUSE AMENDMENT No. 2 to HOUSE BILL 5067.

State Government Administration: HOUSE RESOLUTION 1207 and HOUSE AMENDMENT No. 2 to HOUSE BILL 4665.

Juvenile Justice Reform: SENATE BILL 2821.

The committee roll call vote on the foregoing Legislative Measures is as follows:

3, Yeas; 0, Nays; 0, Answering Present.

Y Currie(D), Chairperson
Y Hannig(D)
Y Turner(D)

A Black(R), Republican Spokesperson
A Hassert(R)

MESSAGES FROM THE SENATE

A message from the Senate by

Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 761

A bill for AN ACT concerning elections.

SENATE BILL NO. 887

A bill for AN ACT concerning regulation.

SENATE BILL NO. 2691

A bill for AN ACT concerning education.

Passed by the Senate, May 8, 2008.

Deborah Shipley, Secretary of the Senate

The foregoing SENATE BILLS 761, 887 and 2691 were ordered reproduced and placed on the order of Senate Bills - First Reading.

A message from the Senate by

Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of bills of the following titles to-wit:

HOUSE BILL NO. 4165

A bill for AN ACT concerning State government.

HOUSE BILL NO. 4190

A bill for AN ACT concerning public aid.

HOUSE BILL NO. 4456

A bill for AN ACT concerning children.

Passed by the Senate, May 8, 2008.

Deborah Shipley, Secretary of the Senate

A message from the Senate by

Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the following joint resolution, to-wit:

HOUSE JOINT RESOLUTION NO. 133

Concurred in the Senate, May 8, 2008.

Deborah Shipley, Secretary of the Senate

A message from the Senate by

Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 1334

A bill for AN ACT concerning education.

Together with the attached amendments thereto (which amendments have been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 1 to HOUSE BILL NO. 1334

Senate Amendment No. 2 to HOUSE BILL NO. 1334

Senate Amendment No. 5 to HOUSE BILL NO. 1334

Passed the Senate, as amended, May 8, 2008.

Deborah Shipley, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 1334 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 34-2.3a as follows:

(105 ILCS 5/34-2.3a) (from Ch. 122, par. 34-2.3a)

Sec. 34-2.3a. Recommendations of the Principal. The ~~The~~ principal of each attendance center shall be encouraged to make recommendations to the appropriate local school council concerning all educational aspects of the attendance center.

(Source: P.A. 85-1418; 86-1477.)".

AMENDMENT NO. 2. Amend House Bill 1334, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Higher Education Student Assistance Act is amended by changing Section 52 as follows: (110 ILCS 947/52)

Sec. 52. Golden Apple Illinois Future Teacher Corps Partnership Program.

(a) In order to encourage academically talented Illinois students, especially minority students, to pursue teaching careers, especially in teacher shortage disciplines (which shall be defined to include early childhood education) or at hard-to-staff schools (as defined by the Commission in consultation with the State Board of Education), to provide those students with the crucial mentoring, guidance, and in-service support that will significantly increase the likelihood that they will complete their full teaching commitments and elect to continue teaching in targeted disciplines and hard-to-staff schools, and to ensure that students in this State will continue to have access to a pool of highly-qualified teachers, the Commission shall combine best practices and methods and programmatic functions of the Illinois Future Teacher Corps Program and the Golden Apple Foundation for Excellence in Teaching's Golden Apple Scholars program into one program, a public/private partnership, to be known as the Golden Apple Illinois Future Teachers Corps Partnership.

(1) This consolidated program shall be fully operational before July 1, 2010. The existing programs, the Illinois Future Teacher Corps Scholarship Program and the Golden Apple Scholars program, shall continue to exist and be governed as they have under this Section before the effective date of this amendatory Act of the 95th General Assembly and any associated administrative rules, but shall also begin a transition period commencing on the first day of the 2008 fiscal year and ending on the last day of the 2011 fiscal year.

(2) During the transition period, the Commission shall, in consultation with the Golden Apple Foundation, establish rules governing the transition period and related fund transfers and to facilitate coordination and implementation of the consolidated program. Eligible students in this State may continue to apply for Illinois Future Teacher Corps scholarships under the current rules governing such applications during the transition period. Fiscal Year 2010 shall be the last year that such scholarships are available.

(3) The Commission shall, by March 30, 2008, develop an estimate of General Revenue Funds that it expects will remain unexpended at the end of FY 2008 from the FY 2008 appropriation for the Illinois Future Teacher Corps. No later than April 15, 2008, the Commission shall cause to be transferred funds comprising 85% of this estimated amount to the Golden Apple Foundation for Excellence in Teaching. The Commission shall subsequently transfer funding from the Illinois Future Teacher Corps Program to the Golden Apple Foundation for Excellence in Teaching on the following schedule and in the following amounts:

(A) FY 2009: an amount equal to 58% of the total combined appropriation for the Golden Apple Foundation for Excellence in Teaching and the Illinois Future Teacher Corps Program;

(B) FY 2010: an amount equal to 80% of the combined total appropriation for the Golden Apple Foundation for Excellence in Teaching and the Illinois Future Teacher Corps Program;

(C) FY 2011: the entire appropriation shall be designated for the Golden Apple Foundation for Excellence in Teaching.

~~(a-5) The~~ The Commission shall, each year, receive and consider applications for scholarship assistance under this Section. An applicant is eligible for a Illinois Future Teacher Corps scholarship under this Section when the Commission finds that the applicant is:

- (1) a United States citizen or eligible noncitizen;
- (2) a resident of Illinois;
- (3) a high school graduate or a person who has received a General Educational Development Certificate;
- (4) enrolled or accepted for enrollment at or above the junior level, on at least a half-time basis, at an Illinois institution of higher learning; and
- (5) pursuing a postsecondary course of study leading to initial certification or pursuing additional course work needed to gain State Board of Education approval to teach, including alternative teacher certification.

(b) Recipients shall be selected from among applicants qualified pursuant to subsection (a) based on a combination of the following criteria as set forth by the Commission: (1) academic excellence; (2) status as a minority student as defined in Section 50; and (3) financial need. Preference may be given to previous recipients of assistance under this Section, provided they continue to maintain eligibility and maintain satisfactory academic progress as determined by the institution of higher learning at which they enroll.

(c) Each scholarship awarded under this Section shall be in an amount sufficient to pay the tuition and fees and room and board costs of the Illinois institution of higher learning at which the recipient is enrolled, up to an annual maximum of \$5,000; except that in the case of a recipient who does not reside on-campus at the institution of higher learning at which he or she is enrolled, the amount of the scholarship shall be sufficient to pay tuition and fee expenses and a commuter allowance, up to an annual maximum of \$5,000. For recipients who agree to teach in a teacher shortage discipline or at a hard-to-staff school under subsection (i) of this Section, the Commission may, by rule and subject to appropriation, increase the annual maximum amount to \$10,000. If a recipient agrees to teach in both a teacher shortage discipline and at a hard-to-staff school under subsection (i) of this Section, the Commission may increase the amount of the scholarship awarded by up to an additional \$5,000.

(d) The total amount of scholarship assistance awarded by the Commission under this Section to an individual in any given fiscal year, when added to other financial assistance awarded to that individual for that year, shall not exceed the cost of attendance at the institution of higher learning at which the student is enrolled.

(e) A recipient may receive up to 4 semesters or 6 quarters of scholarship assistance under this Section.

(f) All applications for scholarship assistance to be awarded under this Section shall be made to the Commission in a form as set forth by the Commission. The form of application and the information required to be set forth therein shall be determined by the Commission, and the Commission shall require eligible applicants to submit with their applications such supporting documents as the Commission deems necessary. Notwithstanding any other provision of this Act, following the completion of the transition of Illinois Future Teacher Corps funding to the Golden Apple Foundation for Excellence in Teaching's Golden Apple Scholars program, all applications for scholarship assistance under this Section shall be in a form determined by the Golden Apple Scholars program.

(g) Subject to a separate appropriation made for such purposes, payment of any scholarship awarded under this Section shall be determined by the Commission. There shall be a separate appropriation made for scholarships awarded to recipients who agree to teach in a teacher shortage discipline or at a hard-to-staff school under subsection (i) of this Section. The Commission may use for scholarship assistance under this Section (i) all funds appropriated for scholarships under this Section that were formerly known as ITEACH Teacher Shortage Scholarships and (ii) all funds appropriated for scholarships under Section 65.65 of this Act (repealed by this amendatory Act of the 93rd General Assembly), formerly known as Illinois Future Teacher Corps Scholarships.

All scholarship funds distributed in accordance with this Section shall be paid to the institution on behalf of the recipients. Scholarship funds are applicable toward 2 semesters or 3 quarters of enrollment within an academic year.

(h) The Commission shall administer the scholarship program established by this Section until the transition of Illinois Future Teacher Corps funding to the Golden Apple Foundation for Excellence in Teaching's Golden Apple Scholar program is completed and shall make all necessary and proper rules not inconsistent with this Section for its effective implementation.

(i) Prior to receiving scholarship assistance for any academic year, each recipient of a scholarship awarded under the Illinois Future Teacher Corps Program ~~this Section~~ shall be required by the Commission to sign an agreement under which the recipient pledges that, within the one-year period following the termination of the academic program for which the recipient was awarded a scholarship, the recipient: (i) shall begin teaching for a period of not less than 5 years, (ii) shall fulfill this teaching obligation at a nonprofit Illinois public, private, or parochial preschool or an Illinois public elementary or secondary school, and (iii) shall, upon request of the Commission, provide the Commission with evidence that he or she is fulfilling or has fulfilled the terms of the teaching agreement provided for in this subsection.

(j) If a recipient of a scholarship awarded under the Illinois Future Teacher Corps Program ~~this Section~~ fails to fulfill the teaching obligation set forth in subsection (i) of this Section, the Commission shall require the recipient to repay the amount of the scholarships received, prorated according to the fraction of the teaching obligation not completed, plus interest at a rate of 5% and if applicable, reasonable collection fees. The Commission is authorized to establish rules relating to its collection activities for repayment of scholarships under this Section. Payments received by the Commission under this subsection (j) shall be remitted to the State Comptroller for deposit into the General Revenue Fund, except that that portion of a recipient's repayment that equals the amount in expenses that the Commission has reasonably incurred in attempting collection from that recipient shall be remitted to the State Comptroller for deposit into the Commission's Accounts Receivable Fund.

(k) A recipient of a scholarship awarded by the Commission under the Illinois Future Teacher Corps Program ~~this Section~~ shall not be in violation of the agreement entered into pursuant to subsection (i) if the recipient (i) enrolls on a full-time basis as a graduate student in a course of study related to the field of teaching at an institution of higher learning; (ii) is serving as a member of the armed services of the United States; (iii) is temporarily totally disabled, as established by sworn affidavit of a qualified physician; (iv) is seeking and unable to find full-time employment as a teacher at a school that satisfies the criteria set forth in subsection (i) and is able to provide evidence of that fact; (v) is taking additional courses, on at least a half-time basis, needed to obtain certification as a teacher in Illinois; or (vi) is fulfilling teaching requirements associated with other programs administered by the Commission and cannot concurrently fulfill them under this Section in a period of time equal to the length of the teaching obligation. Any such extension of the period during which the teaching requirement must be fulfilled shall be subject to limitations of duration as established by the Commission.

(Source: P.A. 93-21, eff. 7-1-03; 94-133, eff. 7-7-05.)

Section 10. The Illinois Vehicle Code is amended by changing Section 3-648 as follows:

(625 ILCS 5/3-648)

Sec. 3-648. Education license plates.

(a) The Secretary, upon receipt of an application made in the form prescribed by the Secretary, may issue special registration plates designated as Education license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division and motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates shall be determined by a contest that every elementary school pupil in the State of Illinois is eligible to enter. The designs submitted for the contest shall be judged on September 30, 2002, and the winning design shall be selected by a committee composed of the Secretary, the Director of State Police, 2 members of the Senate, one member chosen by the President of the Senate and one member chosen by the Senate Minority Leader, and 2 members of the House of Representatives, one member chosen by the Speaker of the House and one member chosen by the House Minority Leader. The Secretary may allow the plates to be issued as vanity or personalized plates under Section 3-405.1 of the Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant for the special plate shall be charged a \$40 fee for original issuance, in addition to the appropriate registration fee. Of this \$40 additional original issuance fee, \$15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs, and \$25 shall be deposited into the Illinois Future Teacher Corps Scholarship Fund. For each registration renewal period, a \$40 fee, in addition to the appropriate registration fee, shall be charged. Of this \$40 additional renewal fee, \$2 shall be deposited into the Secretary of State Special License Plate Fund and \$38 shall be deposited into the Illinois Future Teacher Corps Scholarship Fund. Each fiscal year, once deposits from the additional original issuance and renewal fees into the Secretary of State Special License Plate Fund have reached \$500,000, all the amounts received for the additional fees for the balance of the fiscal year shall be deposited into the Illinois Future Teacher Corps Scholarship Fund.

(d) The Illinois Future Teacher Corps Scholarship Fund is created as a special fund in the State treasury. Ninety-five percent of the moneys in the Illinois Future Teacher Corps Scholarship Fund shall be appropriated to the Illinois Student Assistance Commission for scholarships under Section 52 of the Higher Education Student Assistance Act, and 5% of the moneys in the Illinois Future Teacher Corps Scholarship Fund shall be appropriated to the State Board of Education for grants to the Golden Apple Foundation for Excellence in Teaching, a recognized charitable organization that meets the requirements of Title 26, Section 501(c)(3) of the United States Code. Notwithstanding the other provisions of this subsection (d), beginning in the 2008 fiscal year, funds for the Illinois Future Teacher Corps Program and the Golden Apple Foundation for Excellence in Teaching shall be apportioned according to Section 52 of the Higher Education Student Assistance Act.

(Source: P.A. 92-445, eff. 8-17-01; 92-651, eff. 7-11-02; 92-845, eff. 1-1-03; 93-21, eff. 7-1-03.)

Section 99. Effective date. This Act takes effect upon becoming law."

AMENDMENT NO. 5. Amend House Bill 1334, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Higher Education Student Assistance Act is amended by changing Section 52 as follows: (110 ILCS 947/52)

Sec. 52. Illinois Future Teacher Corps Program.

(a) In order to encourage academically talented Illinois students, especially minority students, to pursue teaching careers, especially in teacher shortage disciplines (which shall be defined to include early childhood education) or at hard-to-staff schools (as defined by the Commission in consultation with the State Board of Education), the Commission shall, each year, receive and consider applications for scholarship assistance under this Section. An applicant is eligible for a scholarship under this Section when the Commission finds that the applicant is:

- (1) a United States citizen or eligible noncitizen;
- (2) a resident of Illinois;
- (3) a high school graduate or a person who has received a General Educational Development Certificate;
- (4) enrolled or accepted for enrollment at or above the junior level, on at least a half-time basis, at an Illinois institution of higher learning; and
- (5) pursuing a postsecondary course of study leading to initial certification or pursuing additional course work needed to gain State Board of Education approval to teach, including alternative teacher certification.

(b) Recipients shall be selected from among applicants qualified pursuant to subsection (a) based on a combination of the following criteria as set forth by the Commission: (1) academic excellence; (2) status as a minority student as defined in Section 50; and (3) financial need. Preference may be given to previous recipients of assistance under this Section, provided they continue to maintain eligibility and maintain satisfactory academic progress as determined by the institution of higher learning at which they enroll.

In each year, to support mentoring, guidance, and in-service support for teaching candidates in order to increase the likelihood that they will complete their full teaching commitments and elect to continue teaching in targeted disciplines and hard-to-staff schools, a minimum of 200 awards shall be allocated to participants in the Golden Apple Scholars of Illinois program.

(c) Each scholarship awarded under this Section shall be in an amount sufficient to pay the tuition and fees and room and board costs of the Illinois institution of higher learning at which the recipient is enrolled, up to an annual maximum of \$5,000; except that in the case of a recipient who does not reside on-campus at the institution of higher learning at which he or she is enrolled, the amount of the scholarship shall be sufficient to pay tuition and fee expenses and a commuter allowance, up to an annual maximum of \$5,000. For recipients who agree to teach in a teacher shortage discipline or at a hard-to-staff school under subsection (i) of this Section, the Commission may, by rule and subject to appropriation, increase the annual maximum amount to \$10,000. If a recipient agrees to teach in both a teacher shortage discipline and at a hard-to-staff school under subsection (i) of this Section, the Commission may increase the amount of the scholarship awarded by up to an additional \$5,000.

(d) The total amount of scholarship assistance awarded by the Commission under this Section to an individual in any given fiscal year, when added to other financial assistance awarded to that individual for that year, shall not exceed the cost of attendance at the institution of higher learning at which the student is enrolled.

(e) A recipient may receive up to 4 semesters or 6 quarters of scholarship assistance under this Section.

(f) All applications for scholarship assistance to be awarded under this Section shall be made to the Commission in a form as set forth by the Commission. The form of application and the information required to be set forth therein shall be determined by the Commission, and the Commission shall require eligible applicants to submit with their applications such supporting documents as the Commission deems necessary.

(g) Subject to a separate appropriation made for such purposes, payment of any scholarship awarded under this Section shall be determined by the Commission. There shall be a separate appropriation made for scholarships awarded to recipients who agree to teach in a teacher shortage discipline or at a hard-to-staff school under subsection (i) of this Section. The Commission may use for scholarship assistance under this Section (i) all funds appropriated for scholarships under this Section that were formerly known as ITEACH Teacher Shortage Scholarships and (ii) all funds appropriated for scholarships under Section 65.65 of this Act (repealed by this amendatory Act of the 93rd General Assembly), formerly known as Illinois Future Teacher Corps Scholarships.

All scholarship funds distributed in accordance with this Section shall be paid to the institution on behalf of the recipients. Scholarship funds are applicable toward 2 semesters or 3 quarters of enrollment within an academic year.

(h) The Commission shall administer the scholarship program established by this Section and shall make all necessary and proper rules not inconsistent with this Section for its effective implementation.

(i) Prior to receiving scholarship assistance for any academic year, each recipient of a scholarship awarded under this Section shall be required by the Commission to sign an agreement under which the recipient pledges that, within the one-year period following the termination of the academic program for which the recipient was awarded a scholarship, the recipient: (i) shall begin teaching for a period of not less than 5 years, (ii) shall fulfill this teaching obligation at a nonprofit Illinois public, private, or parochial preschool or an Illinois public elementary or secondary school, and (iii) shall, upon request of the Commission, provide the Commission with evidence that he or she is fulfilling or has fulfilled the terms of the teaching agreement provided for in this subsection.

(j) If a recipient of a scholarship awarded under this Section fails to fulfill the teaching obligation set forth in subsection (i) of this Section, the Commission shall require the recipient to repay the amount of the scholarships received, prorated according to the fraction of the teaching obligation not completed, plus interest at a rate of 5% and if applicable, reasonable collection fees. The Commission is authorized to establish rules relating to its collection activities for repayment of scholarships under this Section. Payments received by the Commission under this subsection (j) shall be remitted to the State Comptroller for deposit into the General Revenue Fund, except that that portion of a recipient's repayment that equals the amount in expenses that the Commission has reasonably incurred in attempting collection from that recipient shall be remitted to the State Comptroller for deposit into the Commission's Accounts Receivable Fund.

(k) A recipient of a scholarship awarded by the Commission under this Section shall not be in violation of the agreement entered into pursuant to subsection (i) if the recipient (i) enrolls on a full-time basis as a graduate student in a course of study related to the field of teaching at an institution of higher learning; (ii) is serving as a member of the armed services of the United States; (iii) is temporarily totally disabled, as established by sworn affidavit of a qualified physician; (iv) is seeking and unable to find full-time employment as a teacher at a school that satisfies the criteria set forth in subsection (i) and is able to provide evidence of that fact; (v) is taking additional courses, on at least a half-time basis, needed to obtain certification as a teacher in Illinois; or (vi) is fulfilling teaching requirements associated with other programs administered by the Commission and cannot concurrently fulfill them under this Section in a period of time equal to the length of the teaching obligation. Any such extension of the period during which the teaching requirement must be fulfilled shall be subject to limitations of duration as established by the Commission.

(Source: P.A. 93-21, eff. 7-1-03; 94-133, eff. 7-7-05.)".

The foregoing message from the Senate reporting Senate Amendments numbered 1, 2 and 5 to HOUSE BILL 1334 was placed on the Calendar on the order of Concurrence.

At the hour of 4:17 o'clock p.m., the House adjourned until Tuesday, May 13, 2008.

